

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

UNITED STATES OF AMERICA,

-v-

JUSTIN HAMPTON,

Defendant.

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S2 21 Cr. 766 (JPC)

ORDER

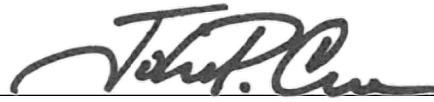
JOHN P. CRONAN, United States District Judge:

Defendant Justin Hampton's request to bifurcate Count Five from the remainder of his trial is granted. On November 28, 2022, the Court will commence trial on Counts One through Four without notifying the jury that there is a fifth count. Once that first phase of the trial concludes on Counts One through Four with a verdict (assuming the jury is able to reach a verdict), the Court will inform the jury of the existence of Count Five and proceed with a trial as to that final count. The parties will have the opportunity to deliver opening statements, to introduce any additional evidence not already submitted in the first phase of the trial, and to deliver closing arguments. The Court then intends to deliver a brief charge to the jury, explaining the substantive elements of Count Five and informing the jurors that they may consider the evidence introduced during the first phase of the trial and that the prior general and procedural instructions continue to apply with equal force.

The Court will further state its reasons for this ruling on the record at the court appearance scheduled for 9:00 a.m. on November 28, 2022, prior to the commencement of jury selection. If either party has an objection to these procedures that has not already been expressed, it should be raised in writing in advance of November 28, 2022.

SO ORDERED.

Dated: November 23, 2022
New York, New York

A handwritten signature in black ink, appearing to read "John P. Cronan", is written over a horizontal line.

JOHN P. CRONAN
United States District Judge